

21W 11/2/07

TRANSMITTAL OF APPEAL BRIEF (Large Entity)

Docket No.
ITL.0778US

In Re Application Of: **Oleg Rashkovskiy, et al.**

SEP 27 2007

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/706,501	November 2, 2000	Arezoo Sherkat	21906	2131	8091

Invention: **Content Protection Using Block Reordering**

COMMISSIONER FOR PATENTS:

Transmitted herewith is the Appeal Brief in this application, with respect to the Notice of Appeal filed on:
August 3, 2007

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Dated: **September 25, 2007**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

Oleg Rashkovskiy, et al.

Serial No.: 09/706,501

Filed: November 2, 2000

For: Content Protection Using
Block Reordering

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Art Unit: 2131

Examiner: Arezoo Sherkat

Atty Docket: ITL.0778US
(P10142)

Assignee: Intel Corporation

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APPEAL BRIEF

Date of Deposit: September 25, 2007

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Nancy Meshkoff

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REAL PARTY IN INTEREST

The real party in interest is the assignee Intel Corporation.

RELATED APPEALS AND INTERFERENCES

None.

STATUS OF CLAIMS

Claims 1-28 (Rejected).

Claims 29-78 (Canceled).

Claims 79-81 (Rejected).

Claims 82-90 (Canceled).

Claims 91-96 (Rejected).

Claims 1-28, 79-81, and 91-96 are rejected and only claim 9 is the subject of this Appeal Brief.

STATUS OF AMENDMENTS

All amendments have been entered.

SUMMARY OF CLAIMED SUBJECT MATTER

In the following discussion, the independent claims are read on one of many possible embodiments without limiting the claims:

1. An apparatus comprising:

a storage device to store an original content item in multiple blocks, each block containing at least a single byte, the blocks stored in a logically linear fashion within the storage allocated for the content item (Figure 1, 50; specification at page 5, lines 12-17);

a key generator to generate a key according to an identifier value of another apparatus (Figure 1; specification at page 5, lines 18-19); and

a reorderer to reorder the blocks of the original content item according to the key without reordering the bits within the blocks, the reordered blocks stored in a nonlinear fashion within the storage allocated for the reordered content item (Figure 1; page 5, lines 19-20).

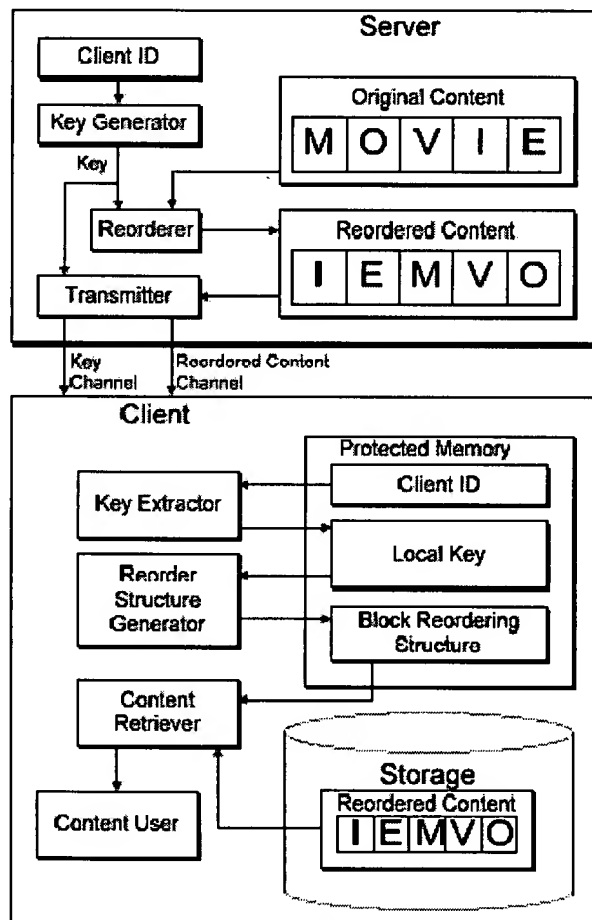


Fig. 1

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9. The apparatus of claim 1 wherein the reordered blocks include a first reordered block of a first block size and a second reordered block of a second block size which is different than the first block size (specification at page 5, lines 5-6).

At this point, no issue has been raised that would suggest that the words in the claims have any meaning other than their ordinary meanings. Nothing in this section should be taken as an indication that any claim term has a meaning other than its ordinary meaning.

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

- A. Whether claims 1-9, 21-28, 79, and 91 are anticipated under 35 U.S.C. § 102(b) by Candelore (US 6,061,449).**
- B. Whether claims 2-20, 80-81, and 92-96 are unpatentable under 35 U.S.C. § 103(a) over Candelore (US 6,061,449) in view of Etzel (US 6,577,734).**

ARGUMENT

A. Are claims 1-9, 21-28, 79, and 91 anticipated under 35 U.S.C. § 102(b) by Candelore (US 6,061,449)?

Dependent claim 9 states that the reordered blocks include a first reordered block of a first block size and a second reordered block of a second block size which is different from the first block size. Thus, the claim calls for a plurality of reordered blocks wherein at least two of those reordered blocks are different sizes.

The Office Action suggests that this is taught in Candelore, wherein the reordered blocks are “of any block sizes”, citing column 22, lines 17-32. Even if Candelore taught using “any” block size, which is certainly debatable, he does not teach using different block sizes within the same reordered set. Namely, suppose Candelore said you could use two bytes, four bytes, or six bytes, but presumed that you would use the same block sizes for all the reordered blocks. This still would not reach the claimed invention.

Candelore did not teach that different block sizes could be used within the same set. To the contrary, he seems to teach exactly the opposite, and particularly with the material cited as the basis for the rejection. For example, at column 22, lines 15 and 16, he talks about “eight bytes per block”, clearly implying all of the blocks are eight bytes. It is stated at column 22, line 28 that blocks do not have to be eight bytes. But this does not mean that the blocks could be different numbers of bytes within the same ordered set. Still in the same material, he again talks about “eight bytes per block” at column 22, line 36.

Thus, there seems to be no basis for the assertion that Candelore teaches using reordered sets of blocks wherein the reordered blocks have different block sizes. To the contrary, Candelore teaches explicitly away and suggests that all the blocks are of the same size. Therefore the rejection of claim 9 should be reversed.

B. Are claims 2-20, 80-81, and 92-96 unpatentable under 35 U.S.C. § 103(a) over Candelore (US 6,061,449) in view of Etzel (US 6,577,734)?

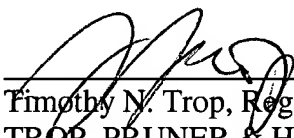
It is believed that the inconsistent rejection of claim 9 both under § 102 and 103 is an error. The § 103 provides no explanation of the basis of the rejection of claim 9. Thus, if not withdrawn, the rejection should be reversed.

* * *

Applicant respectfully requests that each of the final rejections be reversed and that the claims subject to this Appeal be allowed to issue.

Respectfully submitted,

Date: September 25, 2007



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CLAIMS APPENDIX

The claims on appeal are:

1. An apparatus comprising:
 - a storage device to store an original content item in multiple blocks, each block containing at least a single byte, the blocks stored in a logically linear fashion within the storage allocated for the content item;
 - a key generator to generate a key according to an identifier value of another apparatus; and
 - a reorderer to reorder the blocks of the original content item according to the key without reordering the bits within the blocks, the reordered blocks stored in a nonlinear fashion within the storage allocated for the reordered content item.

9. The apparatus of claim 1 wherein the reordered blocks include a first reordered block of a first block size and a second reordered block of a second block size which is different than the first block size.

EVIDENCE APPENDIX

None.

RELATED PROCEEDINGS APPENDIX

None.